

**IN THE HIGH COURT OF JUDICATURE AT PATNA**  
**CRIMINAL MISCELLANEOUS No.31357 of 2023**

Arising Out of PS. Case No.-80 Year-2023 Thana- AAJAM NAGAR District- Katihar

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SUNIL KUMAR SAH SON OF GAUR SAH RESIDENT OF VILLAGE-  
BHOGAON , PS- KADWA, DISTT- KATIHAR

... .. Petitioner/s

Versus

The State of Bihar

... .. Opposite Party/s

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**Appearance :**

For the Petitioner/s : Mr. Rajendra Prasad Sah, Advocate

For the Opposite Party/s : Mr. Abhay Kumar, APP

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**CORAM: HONOURABLE MR. JUSTICE SATYAVRAT VERMA**  
**ORAL ORDER**

2      23-05-2023                      Heard learned counsel for the petitioner and learned  
A.P.P. for the State.

The petitioner apprehends his arrest in a case registered for the offences punishable under Section 30(a) of the Bihar Excise Act.

Learned counsel for the petitioner submits that the petitioner is a person with one antecedent and allegation is of recovery of 56.640 liters of liquor recovered from two motorcycles and the accused fled from the place of occurrence.

Learned counsel for the petitioner submits that the petitioner was not apprehended from the spot as such nothing was recovered from his conscious possession, it is next submitted that petitioner being owner of one of the seized vehicle came to be implicated, it is further submitted that no



prudent person would use his own vehicle for committing a crime and thus would create evidence against himself and hence would get implicated. It is next submitted that petitioner was completely unaware that his friend would misuse the vehicles in the manner as alleged in the FIR.

Learned A.P.P. for the State opposes the prayer for anticipatory bail of the petitioner.

Considering the submissions made by the learned counsel for the petitioner, the petitioner above-named, in the event of his arrest or surrender before the learned trial court within a period of six weeks from today, be released on anticipatory bail on furnishing bail bonds of Rs. 5,000/- (Rupees five Thousand) with two sureties of the like amount to the satisfaction of the learned trial court where the case is pending/successor court in connection with Azamnagar P.S. Case No. 80 of 2023 subject to the conditions as laid down under Section 438 (2) of the Cr.P.C.

**(Satyavrat Verma, J)**

Adnan/-

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